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DEC 14 1994

FCC MAIL ROOM

SBE Certified Senior
Broadcast Engineer

NARTE First Class
Certified Engineer
December 5, 1994


Mr. William F. Caton, Secretary
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, N.W.
Washington, D.C. 20554

Dear Mr. Caton,

Enclosed please find one original plus four copies of comments relating to **MM Docket No. 94-130**. Kindly consider the proposals contained therein.

Please direct any questions to the undersigned.

Sincerely,



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MM DOCKET 94-130

Comments of Thomas Gary Osenkowsky

December, 1994

The Commission has solicited comment on the feasibility of permitting unattended operation of radio and television broadcast stations. This writer generally favors the proposal. The practice appears to have been going on at some stations for a considerable time albeit against current Rules. The Commission recognizes that the role of "duty operators" has changed over the years. The term "duty operator" is more synonymous with "disk jockey" than a person in a technical capacity.

Having been engaged in broadcast engineering for twenty plus years, I have witnessed many changes in the industry. Diminished technical roles, especially in radio, have caused equipment manufacturers to respond with the production more reliable and automated equipment. Nearly every modern (1980 to present) AM and FM transmitter is equipped with an Automatic Power Control ("APC") circuit. Most APC's maintain power output within $\pm 3\%$. Frequency stability for modern transmitters is ± 5 Hz for AM and ± 500 Hz for FM. This is easily four times greater than FCC requirements. Modern audio processors have modulation limiters that maintain percentage of modulation within prescribed limits. Tilt and overshoot in modern transmitters and exciters is virtually non-existent. Microprocessor based clock circuits are available to perform power and/or directional pattern change for AM stations with such requirements.

With diminished technical roles, it is important to remove restrictions which ironically require technical attention. Under present FCC Rules, it is necessary to have an "operator on duty" at all times. In the majority of cases, the "operator on duty" has little, if any, technical knowledge relating to the transmitter and other apparatus. The "operator on duty" must, however, have full access to the transmitter and other technical controls. This writer believes that it is in the best interest of station licensees to restrict technical monitoring and control of the transmission system to qualified engineering personnel. With the use of modern digital remote control systems, it is possible to access and control transmission systems via telephone lines from anywhere in the world. Given the freedom to designate qualified engineering personnel of choice for the task of monitoring and control, the licensee can have greater assurance of FCC Rule compliance. For example, the station's engineer or contracted monitoring firm can routinely monitor and control the station. The licensee is thus better served than if a disk jockey ("duty operator") were in control. Given the flexibility to have a "roaming" control point, a licensee can automate his station without the need for on site personnel.

FCC Rules require that a Chief Operator be appointed by the licensee to oversee technical aspects of the station. Frequently, the Chief Operator is not on site for extended periods of time. This is true despite the requirement that certain Chief Operator positions are required to be part time employees rather than contracted service providers. The need for a Chief Operator is actually moot since the licensee ultimately bears full responsibility for Rule compliance.

The Commission desires to reduce the burden on itself as well as on broadcast licenses. In this regard, I recommend the Commission consider the following Rule changes:

1. 73.69 (1) (a) Delete the last sentence. Antenna monitors should be located at the discretion of the licensee.
2. 73.757 (b) Delete in its entirety.
3. 73.1230 (b) Delete in its entirety. Operator licenses would no longer be required by the Commission's proposal.
4. 73.1230 (c) Delete reference to operator licenses.
5. 73.1400 Should be amended to classify AM directional stations having "type approved" sampling systems constructed in accordance with 73.68 (a) as simply "AM stations". This change would allow remote control operation without further authority from the Commission.
6. 73.1400 (c) Delete in its entirety.
7. 73.1500 Delete in its entirety. ATS systems would simply be an option to licensees.
8. 73.1410 (b) Amend to read "...only be authorized persons designated by the licensee".
9. 73.1410 (e) Delete in its entirety.
10. 73.1550 Delete in its entirety. Extension meters would be superfluous.
11. 73.1870 Delete in its entirety. Chief Operator designations would be superfluous.
12. 73.1860 Should reflect a requirement that each licensee ensure technical Rule compliance by designating personnel familiar with the operation of the station to monitor and control the transmission apparatus. This authority may be extended to the Chief Engineer, an outside monitoring firm, a contract engineer or any combination thereof.

13. 73.45 (c) Delete last sentence in paragraph. Delete subpart (1) and (2). These changes would lessen the burden on both the Commission and the licensee by simply requiring each licensee to keep on file at the station any antenna/common point resistance changes. Required resistance measurements should be for the carrier frequency only. With this change, direct method power measurement could resume on an instant basis rather than by wasting the Commission's resources with a Form 302-BZ filing.
14. 73.1560 (a)(1) Should grant a $\pm 10\%$ operating power variation window to allow for intermittent power line or antenna system variations. (Ice on an FM antenna can cause erroneous power readings, for example). A stipulation that licensees shall not continuously operate at the upper limit to take advantage of this increased flexibility should be included in the proposed change. This would allow a wider intermittent deviation without the need for human intervention. That latter is often counterproductive. I suggest this change solely for the benefit of older transmitters without an APC function.

This writer believes in granting licensees the utmost flexibility in the control and monitoring of their stations. After all, the licensee bears the ultimate responsibility for the station operation. The Commission should recognize that most stations will retain a person on duty i.e. an announcer whenever the station is broadcasting. The station, however, is better served by having a technical person(s) charged with the responsibility of control and monitoring of the facility as opposed to a person who is simply on-site and not technically knowledgeable. I can foresee individuals or firms offering a contract monitoring service. Stations are better served in this scenario. Stations need not have in operation a full time remote control or extension meters. Remote control telephone devices capable of speech synthesis or computer modem control are abundant in the marketplace. DTMF tones can control all transmission functions. With greater reliability and stability of today's transmission systems, FCC Rules should reflect these advances and recognize the benefits while lessening the burden on itself and station licensees. This writer believes that licensees will take advantage of the greater flexibility offered by modern control systems and increased Rule compliance will result since a technically qualified person(s) can be given the responsibility of station operation wherever he/she may be.

Although not specifically a part of the Commission's proposal, a related matter should be considered by the Commission. With the popularity of duopoly ownership and LMA agreements, many otherwise dark facilities are presently on the air. This is especially true of ethnic language and minority operated stations. It is a tremendous burden to comply with FCC Rules governing main studios. The Commission should lessen restrictions in this regard. The main studio Rules should be abolished. Stations should be allowed to operate as unattended "repeaters" provided that toll-free telephone access to the station be provided by the licensee. Maintaining and manning the main studio is a cost beyond the reach of some licensees, especially in the AM service. Given the flexibility to operate a network of local stations from a central location provides a community service not otherwise available. Such operation also employs people and generates tax revenue. It gives local advertisers affordable access to the community since most such referenced operations employ sales account executives on a regional basis. The Commission is urged to consider this matter as timely since technical restrictions would be lifted under this writer's proposals allowing a centralized monitoring of all stations in the network by a single person(s) using telephone control and monitoring devices.

This writer supports the Commissions general proposals and urges due consideration be given to supporting comments received in this matter.